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			LOVE, TREVOR M	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,012	<b>Applicant(s)</b> DOBBS ET AL.
	<b>Examiner</b> TREVOR M. LOVE	<b>Art Unit</b> 1611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 April 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-18 and 22-82 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-18 and 22-82 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-166/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

#### **DETAILED ACTION**

Acknowledgement is made to Applicant's request for continued examination filed 04/20/2009 along with Applicant's petition for revival of unintentional abandonment also filed 04/20/2009 which was granted 06/15/2009.

Claims 1-18, and 22-83 are pending and currently under consideration.

Any rejection of record not stated herein is to be considered withdrawn.

#### ***Claim Rejections - 35 USC § 112 1<sup>st</sup> Paragraph***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

#### *Written Description*

**Claims 1-18 and 22-83 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.** The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application fails to provide support for the phrase: "consisting essentially of" as it pertains to instant claims 1, 50, 51, 61-66, 79, and 80. The Examiner carefully studied the specification and the claims and can find no support for this amendment. The language used in the specification, page 4, lines 11-12 and page 9, line 17 both state "a hair care composition comprising...". Additionally, the language used in the specification, page 15, states that

"[T]he invention provides a hair care composition further comprising from about 0.1 to about 5 weight % of a neutralizer".

***Claim Rejections - 35 USC § 112 2<sup>nd</sup> Paragraph***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 33-49, 52, 54-60, 57-75, and 81-82 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Instant Claims 33-49, 52, 54-60, and 67-75** are rejected as being indefinite since one of ordinary skill in the art would be unable to determine the metes and bounds for the instant claims due to the use of two types of transitional phrases, specifically, "consisting essentially of" and "comprising". Claims 33-49, 52, 54-60, and 67-75 directly or indirectly depend from independent claim 1 which recites that the composition "consists essentially of..." specific components. Claims 33-49, 52, 54-60, and 67-75 have the limitation that the composition "comprises..." certain other components.

**Instant Claims 81 and 82** are rejected as being indefinite since one of ordinary skill in the art would be unable to determine the metes and bounds for the instant claims due to the use of two types of transitional phrases, specifically, "consisting essentially of" and "comprising". Claims 81 and 82 directly or indirectly depend from independent claim 80 which recites that the sprayable composition "consists essentially of..." specific

components. Claims 81 and 82 have the limitation that the composition "comprises..." certain other components.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 1-18, 22-32, 36-53, 57-59, 61-62, and 73-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madrange nee Dermain et al (4,173,627).**

Madrange nee Dermain et al teach a pressurized container containing a hair lacquer spray having reduced inflammability. The reference discloses the use of hair lacquers to maintain the hair in a proper shape by spraying the composition onto the hair (see column 1, lines 5-10). The liquid phase contains at least one of the following 1) **0-94% a lower alkanol, specifically ethanol**, propanol, isopropanol, or butanol; 2) 0-35% a solvent; 3) **0-25%** a ketone diluent, an alkyl acetate diluent, specifically **methyl acetate**, or a hydrocarbon particularly alkanes (see column 3, lines 35-51). The examples utilize ethanol. For instance, example 2 teaches 2g of a resin, 0.5g plasticizer, 20g bromotrifluoromethane, 10g trichloroethane, 25g methylene chloride, 10g butane/propane, and 32.5g ethanol. Note that methylene chloride is not designated a volatile organic compound. Thus, the VOC does not exceed 80%. Example 1 comprises 0.5g of a plasticizer, 2.5g of a resin, 15g bromotrifluoromethane, 5g Dibromo-1,1,2,2-tetrafluoroethane (propellant), 20g isobutane (the alkane diluent), and 22g ethanol.

The hair lacquer contains 10-85% of a propellant phase wherein the instant dimethyl ether, propane, and isobutane with bromotrifluoromethane are taught (see

examples and column 2, lines 25-35). The composition incorporates the 0.5-10% instant resins, specifically vinyl acetate/crotonate/vinyl neodecanoate copolymer which can be neutralized with the instant neutralizing agents, specifically sodium hydroxide and 2-amino-2-methyl-1-propanol (see column 4, line 19 to column 5, line 6 and examples). The composition contains other additives, specifically perfumes and silicones (see claim 10).

Although, Madrange nee Dermain et al suggests a combination of ethanol and methyl acetate, there is not an *explicit* teaching.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to look to the guidance provided by Madrange nee Dermain et al and utilize ethanol and methyl acetate. One would have been motivated to do so since the general disclosure of Madrange nee Dermain suggests the combination of at least one of (a) lower alkanol, (b) a solvent, and (c) a ketone diluent such as methyl acetate for the liquid phase in a upper amount of 25% and it readily apparent to a skilled artisan that one can have a combination of at least two in the liquid phase. Moreover, Madrange nee Dermain teaches in example 1, a composition comprising 0.5g of a plasticizer, 2.5g of a resin, 15g bromotrifluoromethane, 5g Dibromo-1,1,2,2-tetrafluoroethane (propellant), 20g isobutane (the alkane diluent), and 22g ethanol. It would have been obvious to a skilled artisan to substitute the isobutane diluent with the instant methyl acetate diluent since Madrange nee Dermain teaches the diluent may be selected from ketones, C3-C7 alkanes, i.e. isobutene, or an alkyl acetate such as methyl acetate.

With regard to the amount of neutralizer, although Madrange nee Dermain et. al do not explicitly disclose the concentration, it is the position of the Examiner that the concentration is an obvious parameter to a skilled artisan since the concentration would be dependent on the amount required to neutralize the resin. Thus, a skilled artisan would have been motivated to add a sufficient amount to yield a neutralized resin.

Lastly, it should be noted that the instant weight percents overlap with that of the prior art and it is the Examiner's position that the concentrations of each individual components are manipulatable parameters wherein a skilled artisan can readily optimize the concentrations of the prior art. With regard to claim 26, the instant claims recite *approximately* 30% of the methyl acetate and Madrange nee Dermain teaches a maximum limit of 25%, it is the examiner's position that 25% and instant *approximately* 35% are within an obvious range wherein a skilled artisan would have been motivated to manipulate the concentration through routine experimentation. Further, it is noted that applicant has not defined "approximately" and "about" to mean exactly. See MPEP 2111.01. The transitional phrase "consisting essentially of" is being interpreted as "comprising" since the specification does not set forth the basic and novel characteristics of the instant invention. It is noted that MPEP 2111.03 states: "For the purposes of searching for and applying prior art under 35 U.S.C. 102 and 103, absent a clear indication in the specification or claims of what the basic and novel characteristics actually are, "consisting essentially of" will be construed as equivalent to "comprising." See, e.g., PPG, 156 F.3d at 1355, 48 USPQ2d at 1355."

*Applicant's Arguments*

Applicant argues in that Madrange teaches only ethanol or methyl acetate.

Applicant further argues that the objective of Madrange was to reduce the flammability of standard hair lacquers. Applicant then states that “[m]ethyl acetate is 2-3 times less volatile (i.e., it takes greater concentration of methyl acetate to propagate a flame) than any of the other specified diluents.” (see Remarks, page 13). Applicant further argues that Madrange always utilizes a brominated flammability reducing agent, which is not [...] included in the presently claimed invention.

*Response to Arguments*

Applicant's arguments have been fully considered and are not found persuasive. Applicant's argument that ethanol and methyl acetate are only used in the alternative is not persuasive since, as stated above, it would have been obvious to a skilled artisan to substitute the isobutane diluent with the instant methyl acetate diluent since Madrange nee Dermain teaches the diluent may be selected from ketones, C3-C7 alkanes, i.e. isobutene, or an alkyl acetate such as methyl acetate. With regard to Applicant's argument concerning the use of methyl acetate, contrary to Applicant's argument, the fact that methyl acetate is 2-3 times less volatile than any of the other specified diluents would provide more motivation for the use of methyl acetate. Finally, Applicant's argument that brominated flammability reducing agents are allegedly always present is not found persuasive since Applicant has not identified the basic and novel characteristics of the claimed composition, and therefore, in the absence of guidance in the specification regarding the phrase "consisting essentially of" in the specification, the

phrase is read as "comprising", which allows for components such as brominated flammability reducing agents.

**Claims 1-18, 22-32, 36-53, 57-59, 61-62, and 73-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madrange nee Dermain et al (4,173,627) in view of JP 08187277.**

The teachings of Madrange nee Dermain et al are set forth above.

Madrangle nee Dermain et al suggests a combination of ethanol and methyl acetate, however, Madrange nee Dermain et al fails to provide an *explicit* teaching of said combination.

JP 08187277 teaches a method of masking irritating alcohol odor, specifically ethanol, by utilizing methyl acetate or ethyl acetate in the amount of 0.1-10%. The masking action does not damage the properties of the lower alcohol and is utilized in cosmetics, drinks, and perfumes that contain lower alcohol. JP teaches the R represents a short alkyl chain (see Abstract).

Furthermore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to combine the teachings of Madrange nee Dermain et al and JP and utilize ethanol and methyl acetate. Firstly, Madrange nee Dermain suggests the combination of at least one of (a) lower alkanol, (b) a solvent, and (c) a ketone diluent for the liquid phase and it readily apparent to a skilled artisan that one can have a combination of at least two in the liquid phase. Thus, one would have been motivated to combine the lower alkanol with the Madrange's suggested ketone diluent (methyl acetate) in particular since JP teaches ethyl acetate or methyl acetate mask the odor of

lower alcohols in a cosmetic composition. Therefore, one would have been motivated to particularly select methyl acetate as the choice for component (c) to eliminate unpleasant odor produced by the ethanol since Madrange utilizes ethanol as preferred component (a) in all the examples. Further a skilled artisan would have expected similar results in using methyl acetate since Madrange clearly suggests methyl acetate as a suitable diluent in the composition and the examples teach the combination of all three components (a, b, c) in one composition.

With regard to the amount of neutralizer, although Madrange nee Dermain et al do not explicitly disclose the concentration, it is the position of the examiner that the concentration is an obvious parameter to a skilled artisan since the concentration would be dependent on the amount required to neutralize the resin. Thus, a skilled artisan would have been motivated to add a sufficient amount to yield a neutralized resin. Lastly, it should be noted that the instant weight percents overlap with that of the prior art and it is the Examiner's position that the concentrations of each individual components are manipulatable parameters wherein a skilled artisan can readily optimize the concentrations of the prior art. With regard to claim 26, the instant claims recite *approximately* 30% of the methyl acetate and Madrange nee Dermain teaches a maximum limit of 25%, it is the Examiner's position that 25% and instant *approximately* 35% are within an obvious range wherein a skilled artisan would have been motivated to manipulate the concentration through routine experimentation. Further, it is noted that applicant has not defined "approximately" and "about" to mean exactly. See MPEP 2111.01. The transitional phrase "consisting essentially of" is being interpreted as

"comprising" since the specification does not set forth the basic and novel characteristics of the instant invention. It is noted that MPEP 2111.03 states: "For the purposes of searching for and applying prior art under 35 U.S.C. 102 and 103, absent a clear indication in the specification or claims of what the basic and novel characteristics actually are, "consisting essentially of" will be construed as equivalent to "comprising." See, e.g., PPG, 156 F.3d at 1355, 48 USPQ2d at 1355."

*Applicant's Arguments*

Applicant states that the arguments regarding Madrange apply to the combination of Madrange and JP. Applicant argues that there is no motivation for the presence of methyl acetate in an amount greater than 5.5 weight %. Applicant argues that JP teaches away from having a concentration greater than 10 weight %, and that a concentration greater than 10 weight % could compromise the solvent effect of the ethanol.

*Response to Arguments*

Applicant's arguments have been fully considered and are not found persuasive. The arguments that were applied to Madrange above have been addressed above. Regarding Applicant's argument to the weight percent, it should be noted that the Examiner does not rely on JP to teach the weight percent of methyl acetate since Madrange teaches methyl acetate may be used in an amount of 0-25% of methyl acetate; the Examiner only relies on JP to provide the specific motivation to combine ethanol and methyl acetate. Additionally, the Examiner points out that JP teaches that if methyl acetate exceeds 10%, the solubility properties of the lower alcohol *may be*

comprised (see page 5 of the English translation). It is noted that this is not conclusive. Further, JP does not state that if methyl acetate exceeds 10% then the masking capabilities of the alcohol may be comprised. This is a critical difference. JP functions to solubilize a fragrance and lipophilic components. Thus, JP contemplates the concentration of ethanol in relation to ethanol's ability to solubilize the fragrance component. However, Madrange does not require this property, i.e. Madrange's composition does not contain a perfume. Further, Madrange's composition has other solvents.

**Claims 33-35, 56, 60, and 63-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madrange nee Dermain et al (4,173,627) by itself or in view of JP 08187277, in further view of Chuang et al (5,830,439).**

As set forth above, Madrange nee Dermain teach a hair spray that contains a liquid phase comprising at least one of the following 1) 0-94% a lower alkanol, specifically ethanol, propanol, isopropanol, or butanol; 2) 0-35% a solvent; 3) 0-25% a ketone diluent, a alkyl acetate diluent, specifically methyl acetate, or a hydrocarbon (see column 3, lines 35-51). Madrange nee Dermain et al also disclose the use of difluoroalkane as a suitable propellant. JP 08187277 teaches the a method of masking irritating alcohol odor, specifically ethanol, by utilizing methyl acetate or ethyl acetate in the amount of 0.1-10%.

Madrange nee Dermain et al do not explicitly teach the incorporation of water or 1,1-difluoroethane into the composition.

Chuang et al teach an aerosol hair spray resin composition (see Abstract).

Chuang teaches that the fixative hair resin is conventionally dissolved in an inert carrier such as a lower alcohol, for instance, ethanol, an aqueous ethanol solution, isopropanol, etc. Further, the aerosol contains conventional propellants such as 20/80 blend of propane/isobutane, dimethyl ether, difluoroethane, carbon dioxide, etc. (see column 4, lines 30-37).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to look to the teachings of Chuang et al and utilize ethanol that is not absolute (anhydrous) and utilize an aqueous ethanol solution. One would have been motivated to do so since Madrange nee Dermain et al do not disclose that the ethanol must be absolute or denatured ethanol; thus it would be obvious to one of ordinary skill in the at the time of the invention to use ethanol that is not anhydrous since Chuang teaches the conventional use of either. It should be noted that ethanol that is not anhydrous contains about 5% water and thus reads on the instant minimum concentration of water, i.e. 0.01%. Moreover, the manipulation of the amount of water as a co-solvent is a manipulatable parameter that is within the skill of an ordinary artisan.

Furthermore, one would have been motivated to look to Chuang et al and utilize the instant difluoroethane since Chuang discloses this is a conventional propellant utilized in the art. Moreover, one would have expected similar results since Madrange nee Dermain also teaches the use of difluoroalkane as a suitable propellant.

It is noted that The transitional phrase "consisting essentially of" is being interpreted as "comprising" since the specification does not set forth the basic and novel characteristics of the instant invention. It is noted that MPEP 2111.03 states: "For the purposes of searching for and applying prior art under 35 U.S.C. 102 and 103, absent a clear indication in the specification or claims of what the basic and novel characteristics actually are, "consisting essentially of" will be construed as equivalent to "comprising." See, e.g., PPG, 156 F.3d at 1355, 48 USPQ2d at 1355."

*Applicant's Arguments*

Applicant states that the arguments regarding Madrange in view of JP apply to the combination of Madrange, JP, and Chuang. Applicant argues that there would not be a reasonable expectation of success in the combination of methyl acetate and ethanol.

*Response to Arguments*

Applicant's arguments have been fully considered and are not found persuasive. The arguments that were applied to Madrange and JP above have been addressed above. With regard to Applicant's argument that there would not be a reasonable expectation of success in the combination of methyl acetate and ethanol, it is noted that the motivation for the combination of methyl acetate and ethanol is provided in the primary reference, and therefore, is not required to be taught by secondary references. It is noted that MPEP 2145 states: "One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. *In*

*re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986)."

**Claims 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madrange nee Dermain et al (4,173,627) by itself or in view of JP 08187277, in further view of Morawsky et al (5,599,524).**

As set forth above, Madrange nee Dermain teach a hair spray that contains a liquid phase comprising at least one of the following 1) 0-94% a lower alkanol, specifically ethanol, propanol, isopropanol, or butanol; 2) 0-35% a solvent; 3) 0-25% ketone diluent, a alkyl acetate diluent, specifically methyl acetate, or a hydrocarbon. (see column 3, lines 35-51). JP 08187277 teaches the a method of masking irritating alcohol odor, specifically ethanol, by utilizing methyl acetate or ethyl acetate in the amount of 0.1-10%. JP teaches the R represents a short alkyl chain.

Madrange nee Dermain et al do not specifically teach the instant fixatives.

Morawsky et al teach a low VOC hair spray wherein the composition contains conventional hair resins known in the art, including the instant polymer of claim 55 and the polymers taught in Madrange nee Dermain (vinyl acetate/crotonate/vinyl neodecanoate copolymer) (see column 2, lines 15-30).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to look to the teachings of Morawsky et al and utilize the instant polymer in the hair spray formulation of Madrange nee Dermain. One would have been

motivated to do so since Morawsky teaches the instant polymer is a conventional hair resin utilized in the art.

*Applicant's Arguments*

Applicant states that the arguments regarding Madrange in view of JP apply to the combination of Madrange, JP, and Morawsky. Applicant argues that Morawsky does not teach the hair fixative composition as presently claimed. Applicant further argues that though Morawsky teaches some of the same hair resins Morawsky does not teach a hair composition having both ethanol and methyl acetate in the claimed concentrations. Applicant further argues that Morawsky is not properly combinable with Madrange since Madrange teaches a high level of hydrocarbons and Morawsky teaches using a level of VOCs of less than 80 weight % and preferably less than 55 weight %.

*Response to Arguments*

Applicant's arguments have been fully considered and are not found persuasive. The arguments that were applied to Madrange and JP above have been addressed above. With regard to Applicant's argument that Morawsky does not teach the hair fixative composition as presently claimed, and does not teach a composition with the same amounts of ethanol and methyl alcohol, the concept of the fixative and the combination of methyl acetate and ethanol is provided in the primary reference, and therefore, is not required to be taught by secondary references. It is noted that MPEP 2145 states: "One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ

375 (Fed. Cir. 1986)." With regard to Applicant's arguments that Morawsky and Madrange are not properly combinable, it is noted that Morawsky is utilized as a secondary reference which teaches that the instant fixative polymers are well known in the art for use in hair spray compositions.

***Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. US 6,464,960 discloses that the California Air Resources Board (CARB) defines VOC as substances with a vapor pressure of >0.1 mm Hg at 20 degree Celsius or as substances with 12 or less carbon atoms. Further, '960 discloses that on the basis of this definition, a number of substances, for example carbon dioxide, methylene chloride, acetone, methyl acetate, fluorochloro-carbons and fluorocarbons are excluded because of their low or zero photochemical ozone creation potential (POCP).

***Conclusion***

No claims allowed. All claims rejected. No claims objected.  
Any inquiry concerning this communication or earlier communications from the examiner should be directed to TREVOR M. LOVE whose telephone number is (571)270-5259. The examiner can normally be reached on Monday-Thursday 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sharmila Landau can be reached on 571-272-0614. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TL

/Sharmila Gollamudi Landau/  
Supervisory Patent Examiner, Art Unit 1611